IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2242 OF 1999

S.P.Dalvie & 6 Ors. ...Petitioners
Vs.
Union of India & 36 Ors. ...Respondents

None for Petitioners
Mr. P.S. Hingorani A.P.P for Respondents 2 to 4
None appears for rest of the Respondents

CORAM: SHRI R.M.S. KHANDEPARKAR &
SMT.ROSHAN DALVI, JJ.
DATED: 27TH JULY, 2007

P.C.

1. None present for the Petitioner. Mr. Hingonari, A. P. P present for the Respondents 2 to 4. In this Petition the Petitioners challenge the vires of Section 27 of the Consumer Protection Act, 1986 and as a consequential relief, quashing of the warrant issued under Section 27 of the said Act. This Court in its decision in Criminal writ Petition No.1092 of 2003 delivered on 23rd August, 2005, relying upon the decision of the Apex Court in the case of State of **Karnata Vs. Vishwanath House Building Co-op. Society and Others reported in AIR 2003 SC 1043,** has held that

Section 27 of the Consumer Protection Act has been held valid and lawful and, therefore, the challenge to the said Section does not survive. The challenge to the warrant issued under the powers granted under the said Section also does not survive. Accordingly this Petition also is liable to be dismissed, and is hereby dismissed.

2. Interim relief stands vacated. Rule stands discharged. No order as to costs.

(SMT. ROSHAN DALVI, J.) **(R.M.S. KHANDEPARKAR, J.)**